



HERRIMAN CITY PLANNING COMMISSION MEETING MINUTES

Thursday, September 18, 2014

Approved October 2, 2014

6:00 P.M. Work Meeting

Attendance

Planning Commission Members:

Chris Berbert
Jeremy Burkinshaw
Blayde Hamilton
Adam Jacobson
Jessica Morton
Robyn Shakespear
Clint Smith
Wade Thompson

Council Members:

Carmen Freeman, Coralee Wessman-Moser

City Staff:

Bryn McCarty, City Planner
Sandra Llewellyn, Planning Administrative Coordinator
Heather Upshaw, Planner III
Gordon Haight, Interim City Manager
Blake Thomas, City Engineer
John Brems, City Attorney

Guests:

Please see the attendance sign in sheet

6:08:49 PM City Planner Bryn McCarty opens the meeting with a discussion regarding home occupations with customers in a Home Owners Association. Receive HOA approval before they apply for a home occupation with customers.

A discussion regarding item 2.1 on the agenda took place. The home occupation proposed is for an occupation in an agricultural zone. These approvals can expire in two years based on if development starts to occur in the area. Staff included a condition that it has to come back every two years but we could say upon complaint if you'd rather.

A brief review of item 2.2 took place. It was mentioned that the proposal is a plat amendment. The applicant isn't adding any units, they are changing the type of units from a 7-plex to a 6-plex and a 5-plex to a 6-plex.

They will try to add more parking places. Elevations are different but they are a traditional style and earth tone colors.

It was mentioned that item 2.5 is being continued.

Commissioner Blayde Hamilton asked to discuss the Bowler development. If they ask for apartments they have to rezone to RM and still have to meet the 6.3 overall. Commissioner Hamilton would like to ask for 5.7 overall density. A lengthy discussion about different density options took place.

Planner McCarty explains that there will be a combined meeting next Wednesday with the Council and briefly discusses the agenda items for that evening and a brief discussion about the Trax line took place.

A review of item 2.3 and 2.4 ensued. Staff suggests that the planning commission could go through it quickly and recommend it to the council. A lengthy discussion about the style, elevations and areas around the apartments took place.

Meeting adjourns at [6:48:33 PM](#)



7:00 P.M. Regular Planning Commission Meeting:

1. GENERAL BUSINESS: Welcome

[6:59:32 PM](#) Chair Smith welcomes those in attendance and begins the meeting.

Attendance

Planning Commission Members:

Chris Berbert
Jeremy Burkinshaw
Blayde Hamilton
Adam Jacobson
Jessica Morton
Robyn Shakespear
Clint Smith

City Staff:

Bryn McCarty; City Planner
Heather Upshaw, Planner III
Sandra Llewellyn, Planning Administrative Coordinator
Cindy Quick; Deputy Recorder
Gordon Haight, Interim City Manager
Blake Thomas, City Engineer
John Brems, City Attorney

City Council Members:

Coralee Wessman-Moser

Guests:

Please see the attendance sign in sheet

- 1.1 [6:59:57 PM](#) Reverence / Thought: [Coralee Wessman-Moser](#)
- 1.2 [7:00:30 PM](#) Pledge of Allegiance: [Gordon Haight](#)
- 1.3 [7:01:15 PM](#) Roll call: [Full Quorum](#)
- 1.4 [7:01:19 PM](#) Approval of Minutes for: **September 4, 2014**

Commissioner Blayde Hamilton **MOVES** to approve the minutes for September 4, 2014.

Commissioner Robyn Shakespear **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

2. **REGULAR AGENDA:**

Chair Clint Smith explains that item 2.5 has been continued and to be on the agenda two weeks from now and excuses those here for that item.

- 2.1 [7:02:20 PM](#) **39C14** – Lovell – 6293 W 13400S – Home Occupation for a Distributor for Loadrite Acres: 1 – Zone: A-1

City Planner Bryn McCarty explains that this business is for a home occupation in an agricultural zone. They just have outside storage. There are no employees coming to the home. Notification went out to the neighbors and did not receive any calls regarding this business.

Paul Carr, 13728 S Premier Lane, is representing Jeff Lovell who is a distributor and uses this property to store what he sells. He's been in Riverton and is moving up here. The area he's putting the containers on is all temporary. His business plan is to move within 24 months. This area is for consolidation only.

An extensive dialogue was held between commission, staff and applicant. The general consensus of the commission was to not allow the containers to be stacked, to limit the amount of trailers allowed on the property at one time, no employees allowed as part of the business and that a fence is required around the property.

[7:16:50 PM](#) Chair Smith opens up the meeting for public comment and calls for any citizen who wishes to speak to state your name and address for the record and fill out a comment card before leaving tonight.

Citizen Comments:

Larry Green, 2259 E Kalinda Drive, owns Rose Canyon Professional Plaza 13400 S 6361 W and he is concerned about the zoning here. He feels like this is going to be an eye sore. He is not happy with an

industrial look in this area. He says the containers are right along 13400 South and is nervous about the proposed awning as well.

City Planner McCarty explains that this is a home occupation that's allowed in the A1 zone and the conditional use is permitted as long as you go through the proper process.

Betty Barker, 12513 Sunlight Hill Court, wonders what is in the containers and if there is anything that is going to leak.

Paul Carr explains that the containers are Loadrite supplies. They are not large they come in a regular sized office box. There will be insulation supplies, metal, paint and one container even has hay and pellets in it.

[7:21:44 PM](#) Chair Smith asks if there is any additional comment tonight. No response.

A brief discussion amongst planning commissioners regarding a fence and the amount of containers on the property took place.

Commissioner Adam Jacobson **MOVES** to approve this item with staff requirements with a couple of alterations. Item #7, that any equipment must be stored behind a solid barrier fence (vinyl at a minimum), that it does not extend beyond 10 feet of the north of the house and that all containers will be contained behind that fence; Item #9, maximum of five containers and no stacking; Item #10, no employees will work at the premises.

Commissioner Blayde Hamilton **SECONDED** the motion.

Chair Smith asks for a vote. The vote is as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

2.2 [7:27:05 PM](#) **15S14** – D.R. Horton – 5100 W Arete Way – Subdivision Plat
Amendment to Rosecrest Village Plat 1 & 2 – Acres: 2.5 – Zone: R-M (*Public Hearing*)

City Planner Bryn McCarty orients the commission with site plans, aerial maps, elevations and other images that she has prepared. She reminds commission that they are not adding any units; they are just reconfiguring.

Dan Reeve, DR Horton, Draper, UT explains that they are removing awkward court yard spaces between the townhome units. This will shrink the total length of the units and it creates a little bit more open space. We are not changing the unit count. We changed two buildings one is a five-plex and one was a seven plan now they are both a six-plex.

Chair Clint Smith inquires about any changes to handle additional parking. The response was that sometimes power boxes get in the way but they will add as many parking stalls as possible. He agrees that parking is very important in townhome communities.

[7:31:23 PM](#) Chair Smith opens up the meeting for public comment and calls for any citizen who wishes to speak to come to the podium and address the Planning Commission.

Citizen Comments:

David Watts, 14461 W. Windom Road, is a voting member of Rosecrest Village HOA he asked that the homeowners be properly noticed about this change. This has not been noticed to the HOA and they do not have opportunity to voice their opinion. He asked that anything the builder says he's planning to do be a stipulation of the approval. Parking is an issue and there are very narrow ally ways which brings concern for fire access.

Dwaine Friedline, 5098 W. Valmont Way, he explains that he's lived all over and then moved into the basement of his sons home in Herriman seven years ago. He loves being in Herriman. He wanted a million dollar view and found that place in this development. He is frustrated that someone is now trying to change his view. He is opposed to this amendment because there was a layout of this area that didn't show this development prior to the amendment.

Keaton Godfrey, 5092 W. Valmont Way, seconds Dwaine's comments. He has a balcony on the second level which was a huge selling point. He wonders if there is a change in the height of the buildings? He feels that D.R. Horton has promised things when they didn't have the approval to do so.

Dan Armstrong, owner of 14567 Alesian Way, and lives at 5137 Fort Rose Drive, he is a member of the board of the HOA in this community. His understanding is that there would be houses or condos/townhomes in this area. He'd rather see condos then weeds and junk in this area. He is concerned if the townhomes will fit in asthetically and concerned about parking. He'd like more details about the condos.

Bethany Lindley, 5072 Valmont Way, wonders why if D.R. Horton was able to come in and finish J Wright's development along Juniper Crest, why is he changing this area when he could build something similar to what is already there.

[7:41:18 PM](#) Chair Smith closes public comment.

Dan Reeve, mentions that he does try to live up to commitments made. This area has been platted since 2006 for townhomes. It is an ally loaded product similar to other products in the development. This means they don't have a full length driveway and the garage is in the back. The front of the townhome is facing the green space. The amendment is just to update the product as it was originally platted eight years ago. The height of these units is 17'3" and the peak of the roof is under the maximum height. This is a downhill parcel from the units above which may help with views. The units are three bedroom, two bath units. Smallest is 1,275 square feet and the largest 1,396 square feet. These units do not have basements.

Commissioners express concern regarding parking spaces and briefly discuss the elevations.

Commissioner Blayde Hamilton **MOVES** to approve this item with staff recommendations and a change to item #4 to bring back to the planning commission to review the building elevations with a board and samples; and #5 that they add a total of nine guest parking spots in this amendment.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeramy Burkinshaw	No
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

2.3 [8:02:17 PM](#) [12Z14](#) – Anthem Utah LLC – 5350 W Anthem Park Blvd – Rezone from R-2-10 (Medium Density Residential) to R-M (Multi-Family Residential) – Acres: 13.69
(Public Hearing)

City Planner Bryn McCarty discusses this agenda item 2.3 and item 2.4 together. She orients the commission with a site plan. This rezone is required because it's a larger PUD, if an apartment product is requested it has to be rezoned to R-M. Turns time over to the applicant for a presentation.

Tim Soffe, 5151 S 900 E, explains that it's taken a long time to get to this point and this feels like a finish line. He shows an aerial view to orient the commission regarding the area being proposed for the apartments. He further explains that this is a transit oriented development because of the alignment of Trax. He shows elevations for the apartments and explains that these are "Class A" apartments; meaning that the apartments will not be government subsidized, not HUD financed, or state financed. He describes the apartments to be hardy board, metal and stone and that the colors are natural and the paint chips will be submitted with the file. The front of the apartments will face a courtyard and open space which encourages walk-ability. Each courtyard will have a different center feature; a water feature and a tot lot. It has 422 units, open space percentage is 32.47% which is well above the 25% minimum. There will be 717 total parking spaces; 209 are garages and 216 are carports.

Ryan Hales, Hales Engineering, summarized a parking study. The average parking rate from eleven places around the Salt Lake Valley 1.59 / parking stalls per unit. Herriman City parking code requires two parking spaces per unit. On June 19, 2014 they counted parking spaces at Farm Gate and Timber Gate between midnight and 4:00 am. Timber Gate has 2.01 and parking demand is 1.6 stalls per unit. Farm Gate has two stalls per unit with a parking demand rate of 1.72. UTA suggests 1.2 ratio for a transit oriented development. Ryan is recommending 1.70 parking stalls per unit.

Commissioner Jessica Morton asks Ryan if they knew if all the units were rented out. The response was yes he does know. Doug Young, Salt Lake City, explains that they are 97% leased.

Tim Soffe explains that one of the big picture elements with this plan is the effect that it has on the property surrounding it. We anticipate a neighborhood with Trax and a commercial center across the street. This is proposed to help support the uses around it and to have Trax come here.

Doug Young explains that he helped develop Heritage Place Subdivision and the same type of architecture in that subdivision will be typical in this development as well. He is excited about the Trax station coming to this area. There will be a walk-able community with retail that ties into a massive trail system as well as the commercial and high density areas. A recreation center, middle school and a high school are planned for this area as well.

Tim Soffe closes with expressing excitement for all of these pieces to get filled in.

Chair Clint Smith comments that a TOD zone is a Transit Oriented Development designed to support transit such as Trax, which we anticipate coming through this area. UTA wants to see density and walking areas around the Trax line. Density has been addressed and given a maximum number of units for the overall development. The proposed rezone here will not change that overall density. If they are given more density here then density will need to be lessened elsewhere. Regarding the parking issue, we require two parking stalls per unit. We have made provisions to allow for traffic and parking studies be presented as evidence as why we should consider reducing that requirement. Because this is part of a PUD we have that flexibility.

[8:29:51 PM](#) Chair Smith opens up the meeting for public comment and calls for any citizen who wishes to speak to come to the podium and address the Planning Commission. Please fill out a comment form and be respectful.

Citizen Comments:

Jared Henderson, 12568 Heritage Hill Court, feels okay about apartments here, he would just like to know the amount of units for this area. The City Council and Planning Commission have really listened to concerns with density and he's grateful for that. He's also grateful for Tim Soffe and his firm. He loves to see the details they provide for their proposed developments. He is concerned that this development is dependant on Trax and he's nervous about the chance that Trax doesn't come. He wonders if we are putting the cart before the horse. No one can tell us whether or not Trax is coming here. He would prefer and looks forward to commercial development in this area.

Marian Fowden, 5556 Toscana Way, concerned about having convenient parking places for this development so that people would be less likely to park on the street. Concerned about Trax really coming. Is this being put in just to encourage Trax or are we trying to plan ahead to anticipate it. Are you sure that this is what residents want. She administers the Herriman Residents Facebook page and she's seen comments saying why would we want Trax. She is also concerned about having a four story complex, it just seems like a lot.

Brandon Pack, 5928 W Grandpere Ave, wonders if we really need a Trax station within $\frac{3}{4}$ of a mile from the current station. Is it coming and if we build this development do we really need one there. My understanding from the meeting last week is that we don't know. He feels like Trax will come here whether or not we build high density.

Liz Jones, 12576 Sunlight Hill Court, she wonders where the Bowler property is next to this property. She understands that the Bowler development group doesn't want commercial here, they wanted more apartments. She's concerned that Trax will increase crime. She is also concerned with the parking at the apartments and residents parking out on the street. She is very concerned with a four story apartment building here. She would like Herriman to maintain the open feeling here. She does wonder how this plays out with the Bowler Development.

Lisa Brown, 5908 Grandpere Avenue, nervous about the garages being in the basement area of these apartments. I'm nervous that garage will become a storage unit not a place to park. She would like to see the two stalls per unit required.

Aaron Fish, 12546 Sunlight Hill Court, he is nervous about the parking being reduced and feels the study done wasn't a statistical study. He also wonders if utilization statistics for the Trax station in Daybreak have been pulled. He comments that it takes an hour and a half to get downtown on Trax. He is concerned with how many people will actually utilize it.

Jinette Blood, 5516 Verenna Street, this has been approved already and she's been impressed with the Planning Commission and City Council looking at the density and zoning for this area. She requests that the commission takes this an opportunity to say we are zoned at medium density here and we don't have to give this developer apartments. She doesn't understand why we are making it high density now. Adds a comment that she was told Farmgate would not to be government subsidized and it is government subsidized.

Kipp Ware, 6293 Heritage Hill Drive, he wonders if Trax is really going to be put in this area that close to another station in Daybreak.

Doug Young, thanks residents for their input. He will be able to respond to their comments and will work with residents to create a great product.

[8:58:49 PM](#) Chair Smith closes public comment.

Tim Soffe responds regarding Farmgate being subsidized, it's actually Timbergate that is subsidized and it was known from day one that it would be tax credit financing, it is not section 8. Parking is an issue that is very critical to everyone. He hired a professional to find out what numbers work well. He comments that they went

higher than the study recommends. He feels confident with Ryan's numbers. They are verifiable numbers. Regarding Trax, he quotes a friend saying, it's not, 'if Trax,' it's 'when Trax' this line will be constructed, it's just when. We are trying to say sooner rather than later. This project would be successful without Trax.

Commissioner Blayde Hamilton asks Tim Soffe to speak to the closeness of the other station in DayBreak and the station in Draper.

Tim Soffe responds that the Trax in Draper is there because the track already existed. There are other projects where stations are in close proximity to each other as well. He explains that UTA forecasted this station not their staff. One of UTA's criteria is that there is a half mile minimum.

Chair Clint Smith briefly reviews agenda items 2.3 and 2.4 and how they work together. Asks the Planning Commission that if they are ready, to recommend item 2.3 to the City Council and then continue item 2.4, pending the decision from City Council. If they aren't ready then to give specifics to recommend to the City Council and continue item 2.4 pending their decision. A brief discussion amongst commission ensued.

Commissioner Blayde Hamilton **MOVES** to recommend approval to the City Council of this item with the recommendation that although the apartments are being rezoned to RM they still need to have a seven units per acre over the entire project.

Commissioner Adam Jacobson **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

City Planner McCarty reminds those in attendance that this item will be before the City Council next Wednesday and September 24, 2014.

2.4 [9:13:48 PM](#) **40C14** – Anthem Utah LLC – 5350 W Anthem Park Blvd – Final Planned Unit Development (PUD) Approval of 422 'Class A' Apartments – Acres: 13.69 Zone: R-2-10 – Units: 422

Commissioner Jeremy Burkinshaw **MOVES** to continue this item until October 2, 2014.

Commissioner Chris Berbert **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeremy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

- 2.5 [9:14:24 PM](#) [38C14](#) – Bowler Property – 12200 S 5100 W – Preliminary Planned Unit Development (PUD) of Single Family Lots and Townhomes – Acres: 152 – Zone: R-2-10 – Units: 955 (*Continued from September 4th, 2014*)

Commissioner Chris Berbert **MOVES** to continue this item to October 2, 2014.

Commissioner Jessica Morton **SECONDED** the motion.

Chair Hill asks for a vote. The vote is as follows:

Commissioner Jessica Morton	Yes
Commissioner Blayde Hamilton	Yes
Commissioner Robyn Shakespear	Yes
Commissioner Jeramy Burkinshaw	Yes
Commissioner Chris Berbert	Yes
Commissioner Adam Jacobson	Yes

Vote passed.

Motion carried.

3. **NEW ITEMS OF SUBSEQUENT CONSIDERATION (OTHER):**

Chair Smith asks if there are any other items to be brought before the commission. None.

4. **ADJOURNMENT:**

Chair Clint Smith calls for a motion to adjourn.

Commissioner Jessica Morton **MOVES** to adjourn the meeting and the motion passed unanimously.

Meeting adjourned at [9:16:05 PM](#).

5. **FUTURE MEETINGS:**

5.1 City Council Meeting - Wednesday, **September 24, 2014** @ 7:00 PM

5.2 Planning Commission Meeting - Thursday, **October 2, 2014** @ 7:00 PM

I, Cindy Quick, Deputy Recorder of Herriman City hereby certify that the foregoing minutes represent a true, accurate and complete record of the meeting held on September 18, 2014. This document constitutes the official minutes for the Herriman City Planning Commission Meeting.


Cindy Quick, Deputy Recorder